

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

AMERICAN IMMIGRATION COUNCIL;
KATHRYN O. GREENBERG IMMIGRATION
JUSTICE CLINIC AT THE BENJAMIN N.
CARDOZO SCHOOL OF LAW,

Plaintiffs,

-v-

EXECUTIVE OFFICE FOR IMMIGRATION
REVIEW; U.S. DEPARTMENT OF JUSTICE

Defendants.

19-cv-01835-DLC

**SUPPLEMENTAL DECLARATION OF JOSEPH R. SCHAAF IN SUPPORT OF
UNITED STATES DEPARTMENT OF JUSTICE, EXECUTIVE OFFICE FOR
IMMIGRATION REVIEW REPLY TO PLAINTIFFS' OPPOSITION TO GOV'T
MOTION FOR SUMMARY JUDGMENT AND CROSS-MOTION FOR SUMMARY
JUDGMENT**

I, Joseph R. Schaaf, pursuant to 28 U.S.C. § 1746, hereby declare as follows:

1. I am the Supervisory Attorney Advisor (FOIA) under the Office of the General Counsel ("OGC") at the Executive Office for Immigration Review ("EOIR"). I have held this position for approximately two-and-one-half years. In my role as Supervisory Attorney Advisor (FOIA), I manage the agency's Freedom of Information Act Unit ("FOIA Unit") for the agency. I make this supplemental declaration in support of EOIR's Reply to Plaintiffs' Opposition to EOIR's Motion for Summary Judgment and Cross-Motion for Summary Judgment.

2. In executing my duties as the Supervisory Attorney Advisor (FOIA), I have had the occasion to access, and become familiar with, the Case Access System for EOIR, ("CASE"), the electronic case manager for the Immigration Judges, the Board of Immigration

Appeals, and staff to support case management. For each individual alien who has appeared in an Immigration Court, I am aware that the CASE user-interface displays nine (9) different tabs - (1) Alien Info; (2) Case Info; (3) Schedule; (4) Reps; (5) Appeal; (6) Actions; (7) Disposition; (8) Comments; and (9) Competence related to that individual alien's case. I am also aware that Tabs (1)-(7) contain "standard, non-text" fields for data entry and that Tab (8) Comments allows users to enter free form text.

3. In reviewing one individual alien's data within CASE based on report run by COGNOS on March 19, 2019, I observed the following entry on Comments Line 9, "3/20/18: Ordered ROP from FRC to me / [EOIR employee]; Stay; Atty Review."

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Dated the 5th day of September 2019.



JOSEPH R. SCHAAF